

**UNITED STATES DISTRICT COURT**

**WESTERN DISTRICT OF LOUISIANA**

**GRETA AND DANIEL BATISTE**

**Plaintiffs**

**VERSUS**

**DG LOUISIANA, LLC**

**Defendant**

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**CASE NO. 6:20-cv-00735**

**JUDGE JUNEAU**

**MAGISTRATE JUDGE HANNA**

**A JURY IS DEMANDED**

**MOTION FOR SUMMARY JUDGMENT**

**NOW INTO COURT**, through undersigned counsel, comes Defendant, DG Louisiana, LLC (herein after “Dollar General”) who respectfully submits this Motion for Summary Judgment seeking dismissal of Plaintiff’s claims in connection with an alleged slip and fall accident on March 26, 2020 at a store location in Opelousas, Louisiana. The record evidence, including Plaintiff’s own deposition testimony establishes that she cannot even potentially satisfy the elements of proof required to sustain a claim against Dollar General under La. R.S. 9:2800.6, the Louisiana Merchant Liability Statute. Dollar General is therefore entitled to judgment in its favor as a matter of law.

**WHEREFORE**, Dollar General respectfully urges this Honorable Court to grant this Motion for Summary Judgment, dismissing all of Plaintiff’s claims, with prejudice, at her sole cost.

**Respectfully submitted,**

/s/ Max C. Hadley

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing pleading has been served upon all counsel of record via the Court's CM/ECF electronic filing system this 26<sup>th</sup> day of February, 2021.

/s/ Max C. Hadley